



American Conference Institute's 10th National Forum on

RESIDENTIAL MORTGAGE LITIGATION & REGULATORY ENFORCEMENT

Expert strategies for in-house and outside counsel on navigating litigation hurdles and preparing for new and emerging government enforcement initiatives

Hear directly from the source on federal and state regulatory and enforcement priorities

January 17-18, 2013 | Marriott Fisherman's Wharf | San Francisco, CA

Ori Lev
Consumer Financial Protection Bureau

J. Thomas Rosch
Federal Trade Commission

John A. Davidovich
Federal Deposit Insurance Corporation

Michael H. Stolworthy
HUD-OIG

Attorney General David M. Louie
Office of the Hawaii Attorney General

Attorney General Mark Shurtleff
Office of the Utah Attorney General

Michael Troncoso
Office of the California Attorney General

Commissioner Jan Lynn Owen
California Department of Corporations

Thomas O. Freeburger
California Housing Finance Agency

Judicial Perspectives from:

Hon. Helen Gillmor
U.S. Dist. Ct., D. Haw.

Hon. Ruben Castillo
U.S. Dist. Ct., N.D. Ill.

Hon. Paul M. Warner
U.S. Dist. Ct., D. Utah

Hon. Alan J. Baverman
U.S. Dist. Ct., N.D. Ga.

Hon. Margaret A. Mahoney
U.S. Bankr. Ct., S.D. Ala.

Hon. Elizabeth W. Magner
U.S. Bankr. Ct., E.D. La.

Hon. Michael McManus
U.S. Bankr. Ct., E.D. Ca.

Hon. Michael B. Kaplan
U.S. Bankr. Ct., D.N.J.

Hon. Richard Kramer
San Francisco Super. Ct.

In-house insights from industry experts, including:

Jonathan Mastrangelo
PNC Financial Services

Van Beck
Wells Fargo

Alona Rindal
U.S. Bank

Karim Hatata
Genworth Financial Home
Equity Access, Inc.

Vincent Danzi
Equity Settlement Services, Inc.

Ron Morrison
Impac Funding Corporation

Christopher T. Shaheen
U.S. Bank

Rick Bellows
National Creditors Connection, Inc.

Stephanie Karfias
SunTrust Bank

Chuck Houston
Carrington Mortgage Holdings, LLC

Ken Markison
Mortgage Bankers Association

Obtain critical updates and strategic advice for:

- Adapting to increased federal and state regulation and enforcement in the residential mortgage context
- **Loan servicing:** assessing the impact of the AG settlement and new servicing standards, complying with document and affidavit procedures and implementing effective loss mitigation strategies
- Examining the CFPB's new and emerging enforcement initiatives and supervisory agenda
- Overcoming contested **foreclosures**, responding to borrower counterclaims and defending against loan servicing, MERS and standing claims
- Residential mortgage **legislation** and litigation in California and its impact on the industry
- Preventing, managing and defending against the latest **fair lending claims** and evaluating the status of "disparate impact" in lending litigation and enforcement
- Determining what increased **outreach efforts and look-backs** mean for the foreclosure review process
- Defending against class action litigation and examining **class action trends** involving residential mortgage litigation in California

Break Sponsor:



Sponsored by:



Register Now • 888-224-2480 • AmericanConference.com/ResMortgageSNF

Join key regulatory and enforcement officials, state attorneys general, top defense firms, expert in-house counsel, and renowned District, Magistrate, State and Bankruptcy judges to ensure you are fully prepared to manage lending, servicing and foreclosure litigation and remain ahead of the curve on the latest enforcement efforts and regulations.

With the implementation of the AG settlement, the changing status of the foreclosure look-back and outreach process, and the CFPB squarely focused on residential mortgages with new proposals, examinations and enforcement actions, the residential mortgage industry is constantly changing. **California is at the center of residential mortgage activity**, and with its Homeowners Bill of Rights, recent loan modification decisions and foreclosure prevention programs, many states will look to California in the future to expand foreclosure protections for borrowers. It is critical that both in-house and outside counsel understand the latest residential mortgage activity in **California and nationally**, and are prepared for the new wave of litigation and comprehensive federal and state regulations and enhanced enforcement efforts that the next year will bring.

In response, American Conference Institute is pleased to announce its **10th National Forum on Residential Mortgage Litigation & Regulatory Enforcement**, being run for the first time in the winter and on the west coast. Our unparalleled faculty of renowned jurists, federal and state officials, expert in-house counsel, and leading outside counsel will provide insights and strategies tailored to help you defend against new claims and adapt to the evolving regulatory landscape. By attending this conference, you will:

- Get an up to the minute assessment of the CFPB's impact on the residential mortgage industry and learn how to adapt to the CFPB's regulatory and enforcement agenda
- Hear how federal, state and bankruptcy judges are handling emerging plaintiff theories and defense strategies, case management, e-discovery, foreclosure documentation errors and more
- Understand the latest residential mortgage legislation and litigation in California and its importance to the larger residential mortgage industry
- Get updates directly from state and federal officials and attorneys general on complying with emerging regulatory and enforcement initiatives

Plus, add value to your attendance by also registering for the exclusive post-conference Focus Session:
Managing Local Governments' Increased Use of Ordinance Violations to Regulate Properties in Foreclosure

January 18, 2013 • 3 p.m.–5 p.m.

Register now by calling 888-224-2480 or faxing your registration form to 877-927-1563.
You can also register online at www.AmericanConference.com/ResMortgageSNF

WHO YOU WILL MEET

In-House Counsel from

- Mortgage Lenders
- Mortgage Brokers
- Banks & Thrifts
- Loan Servicers
- Loan Purchasers & Securitizers
- Investment Banks
- Hedge Funds
- Private Equity

Attorneys Specializing in Litigators & Private Practice

- Financial Services
- Mortgages
- Bankruptcy
- Securities Litigation
- Consumer Finance
- Regulations & Compliance

CONTINUING LEGAL EDUCATION CREDITS



Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board in the amount of 13.5 hours. An additional 2.0 credit hours will apply to workshop participation.

ACI certifies that this activity has been approved for CLE credit by the State Bar of California in the amount of 11.25 hours. An additional 2.0 credit hours will apply to workshop participation.

You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

Questions about CLE credits for your state? Visit our online CLE Help Center at www.americanconference.com/CLE

GLOBAL SPONSORSHIP OPPORTUNITIES

As a member of our sponsorship faculty, your organization will be deemed as a partner. We will work closely with your organization to create the perfect business development solution catered exclusively to the needs of your practice group, business line or corporation. For more information about this program or our global portfolio of events, please contact:

Wendy Tyler, Head of Sales, American Conference Institute
Tel: 212-352-3220 x5242 | Fax: 212-220-4281 | w.tyler@AmericanConference.com

Media Partner:

Asset-Backed ALERT
www.ABAAlert.com

Register now: 888-224-2480 • Fax: 877-927-1563 • AmericanConference.com/ResMortgageSNF

DAY ONE | THURSDAY, JANUARY 17, 2013

7:20 Registration and Continental Breakfast

8:00 **Co-Chairs' Welcoming Remarks**

<i>Clinton R. Rockwell</i> Partner Buckley Sandler LLP (Santa Monica, CA)	<i>Douglas A. Thompson</i> Partner Bryan Cave LLP (Santa Monica, CA)
--	---

8:05 **Adapting to Increased Federal and State Regulation and Enforcement, Preventing and Managing Mortgage Litigation Involving Lending, Servicing & Foreclosure, and How In-House Counsel Manage Expectations With Respect to Lawsuits and Exposure**

Jonathan Mastrangelo
Senior Counsel – Litigation
PNC Financial Services (Pittsburgh, PA)

Van Beck
Assistant General Counsel
Wells Fargo (Charlotte, NC)

Chuck Houston
VP, Assistant General Counsel
Carrington Mortgage Holdings, LLC
(Santa Ana, CA)

Karim Hatata
Compliance Leader
Genworth Financial Home Equity Access, Inc.
(Rancho Cordova, CA)

Vincent Danzi
General Counsel
Equity Settlement Services, Inc. (Smithtown, NY)

Alona Rindal
Vice President & Corporate Counsel
U.S. Bank (Minneapolis, MN)

Ron Morrison
EVP General Counsel
Impac Funding Corporation (Irvine, CA)

Stephanie Karfias
SVP, Managing Counsel
SunTrust Bank (Richmond, VA)

Moderator:

Hunter R. Eley
Partner
Doll Amir & Eley LLP (Los Angeles, CA)

- What are the most challenging aspects from a corporate counsel perspective in updating compliance procedures in the wake of Dodd-Frank?
- Impact of the AG settlement on the broader mortgage servicing industry
 - Likelihood of national servicing standards
 - Enforcement issues; ensuring compliance
- How are lenders and servicers adapting to new regulations?
 - What changes have been made?

- Who are lenders and servicers looking to for guidance?
- Managing and responding to enforcement actions
 - Tools available when facing an enforcement action
 - Dealing with overzealous requests in regulatory inquiries
 - Jurisdictional hurdles when dealing with multiple agencies
 - The role of state attorneys versus federal agencies
- Procedures & staffing in customer service depts.
 - Preventing litigation by maintaining proper communication and meeting customer expectations
 - Using customer complaint processes to identify root causes and systemic issues
- How to adapt litigation strategies and settlement calculations in light of the uncertain legal and regulatory landscape
 - Handling broad discovery requests
 - Managing litigation over alleged foreclosure documentation errors and robo-signing practices
 - Establishing ownership of a loan
- Working with outside counsel
 - Top 5 issues that outside counsel should be thinking about
 - Coordination of responsibilities
 - In-house pet peeves and concerns

9:25 **The CFPB's Regulatory and Enforcement Agenda**

Ori Lev
Deputy Enforcement Director for Litigation
Consumer Financial Protection Bureau (Washington, DC)

Ken Markison
Associate Vice President, Regulatory Counsel
Mortgage Bankers Association (Washington, DC)

James Milano
Member
Weiner Brodsky Sidman Kider PC (Washington, DC)

Richik Sarkar
Partner
Ulmer & Berne LLP (Cleveland, OH)

Clinton R. Rockwell
Partner
Buckley Sandler LLP (Santa Monica, CA)

Matthew S. Yoon
Partner
DLA Piper LLP (New York, NY)

Moderator:

Andrew K. Stutzman
Chair, Mortgage and Lending Litigation Practice Group
Stradley Ronon Stevens & Young, LLP (Philadelphia, PA)

- The CFPB's regulatory and supervisory agenda
 - Rewrite of the mortgage process
 - How the CFPB will deal with qualified mortgage and the ability to repay
 - Definition of qualified mortgage
 - Safe harbor or merely a presumption of legality?
- New proposals on servicing
 - CFPB enforcement initiatives against non-bank affiliated mortgage default servicers
 - CFPB and similar foreclosure look-backs
- Which UDAAPs are being targeted most heavily by the CFPB?
 - Assessing the definition of abusive practices
 - Potential pitfalls for lenders and servicers

- CFPB examinations and enforcement actions
 - Civil enforcement actions
 - How will exams work
 - What are the policy objective
 - What is the complaint process
 - What do or not do if contacted for an exam
- CFPB stance on arbitration agreements in lending contexts
 - Study of arbitration clauses in consumer financial products
 - Is arbitration enforceable in a mortgage clause?
 - Collection issues when there has been a default
- Proposed mortgage disclosure forms
 - RESPA/TILA proposed rule
- Practical effects of the CFPB's initiatives on compliance and litigation strategies
- QWR's under the Dodd-Frank Act
 - Changes to the QWR provisions and the CFPB's mortgage loan complaint process
- Evaluating preemption in the wake of Dodd-Frank

11:00 Morning Coffee Break

Sponsored By:



11:15 **View from Federal and State Agencies and Attorneys General on New and Emerging Initiatives and Priorities**

J. Thomas Rosch
Commissioner
Federal Trade Commission (Washington, DC)

Michael H. Stolworthy
Director of Fraud Prevention and Program Integrity
HUD-OIG (Washington, DC)

John A. Davidovich
Counsel to the Inspector General
Federal Deposit Insurance Corporation (Washington, DC)

David M. Louie
Attorney General
State of Hawaii (Honolulu, HI)

Mark Shurtleff
Attorney General
State of Utah (Salt Lake City, UT)

Michael Troncoso
Senior Counsel to the Attorney General
California Attorney General's Office

Jan Lynn Owen
Commissioner
California Department of Corporations (Sacramento, CA)

Moderator:

Robb C. Adkins
Partner
Winston & Strawn LLP (San Francisco, CA)

- What servicing practices are being challenged by federal regulators?
- National servicing standards from the AG settlement?
- Increased focus on fair lending concerns
- Mortgage origination standards

- Status report on the foreclosure look-backs and outreach
- Cooperating with investigations
- Perspectives on the AG settlement and its broader implications for the mortgage servicing industry
- Impact of CFPB proposals on state enforcement initiatives
 - Ensuring compliance with UDAP laws in light of enhanced enforcement initiatives
 - Cooperating with investigations
- What default servicing practices are being challenged?
 - By states?; By AGs?
- Real Estate Mortgage Backed Securities Working Group
 - What is this group, and what impact will it have on the mortgage industry?
 - How is it targeting RMBS issues
- New priorities involving smaller banks and non-bank servicers
- The status of force-placed insurance litigation and regulatory enforcement actions
- Mortgage servicing and origination standards
 - Simplification of forms
- Reaching consent settlements with regulators
- Aggressive state and multi-state tactics
 - Increased focus on fair lending standards
 - Assessing the multi-state mortgage examination process
- Retrospective on foreclosure moratoriums and foreclosure delays in various states

12:55 Networking Luncheon for Speakers and Attendees

1:55 **Judicial Perspectives on Emerging Plaintiff Theories and Defense Strategies, Trial and Case Management, E-Discovery, Foreclosure Documentation Errors and more**

The Honorable Helen Gillmor
District Court Judge
U.S. Dist. Ct., D. Haw.

The Honorable Ruben Castillo
District Court Judge
U.S. Dist. Ct., N.D. Ill.

The Honorable Paul M. Warner
Magistrate Judge
U.S. Dist. Ct., D. Utah

The Honorable Alan J. Baverman
Magistrate Judge
U.S. Dist. Ct., N.D. Ga.

The Honorable Richard Kramer
Superior Court Judge
San Francisco Super. Ct.

Moderator:

Gregory S. Korman
Partner
Katten Muchin Rosenman LLP (Los Angeles, CA)

- New and emerging plaintiff theories and defense strategies
- Novel approaches to trial and case management
- Impact of court-implemented rules
 - Attorney affidavits
 - File reviews
 - Enhanced pleading requirements

- Insights into discretionary awards of attorneys' fees and sanctions
- Loan modification litigation
- Judicial perspectives on e-discovery
 - Expectations of counsel when dealing with voluminous discovery requests

3:25 Afternoon Refreshment Break

3:35 **Judicial Insights on Class Certification and Proof of Claim Issues, Foreclosure Litigation Standards in Bankruptcy Court, Scope of Jurisdiction, Strategies for Maximizing Recovery from Borrowers in Bankruptcy and More**

The Honorable Margaret A. Mahoney
Chief Bankruptcy Judge
U.S. Bankr. Ct., S.D. Ala.

The Honorable Elizabeth W. Magner
Chief Bankruptcy Judge
U.S. Bankr. Ct., E.D. La.

The Honorable Michael McManus
Bankruptcy Judge
U.S. Bankr. Ct., E.D. Ca.

The Honorable Michael B. Kaplan
Bankruptcy Judge
U.S. Bankr. Ct., D.N.J.

Moderator:

Katrina Christakis
Partner
Grady Pilgrim Christakis Bell LLP (Chicago, IL)

- Navigating through bankruptcy court – what lenders and servicers need to know
- How foreclosure cases have been evolving in bankruptcy court
 - The scope of bankruptcy court jurisdiction
 - Judicial insights on foreclosure mediation programs
 - *Stern v. Marshall*
- Recent bankruptcy cases
 - Class certification decisions
 - Latest cases regarding ownership of a note/debt
- Litigating claims in bankruptcy court
 - Defending against borrower claims
 - Foreclosure litigation standards in bankruptcy court
 - Affidavit issues
 - Proof of claim issues
- The effect of *United Student Aid Funds, Inc. v. Espinosa* on the mortgage industry

4:55 **Focus on Residential Mortgage Litigation in the State of California**

Paul Leonard
California Director
Center for Responsible Lending (Oakland, CA)

Michael R. Pfeifer
Managing Partner
Pfeifer & de la Mora, LLP (Orange, CA)

Roland P. Reynolds
Partner
Palmer, Lombardi & Donahue LLP (Los Angeles, CA)

Michael J. Steiner
Member
Severson & Werson, P.C. (San Francisco, CA)

- Expansion of existing foreclosure protections for borrowers through the Homeowners Bill of Rights
 - Potential for other states to enact similar legislation
 - Question of federal preemption over bill sections from the national federal settlement
- Implementation of the CA Homeowner's Bill of Rights
 - How the bill will be implemented, and its potential impact on lenders and homeowners
 - Risk that the law will reduce home values
 - Provisions of the Bill
 - Restriction of dual-track foreclosures and robo-signing
 - Extension of previous sunset provisions
 - Private right of action and the ramifications of quasi-judicial foreclosure
 - How the legislation will affect the way foreclosures occur
 - Increased litigation due to the built in cause of action
- Standing to foreclose in California
 - Where is the law now?; what's expected for the future?
- Eminent domain as a tool to seize mortgages
 - How will the loans be valued?
 - Where will the money come from?
 - Possible ramifications of the proposal
- Loan modification in CA
 - *Nungaray v. Litton Loan Servicing LP* (Ca. Ct. App.)
 - Preliminary "loan work out plan" in mortgage modifications and HAMP transactions
 - How courts are dealing with this case and resistance to it in federal court
- Foreclosure prevention programs
 - State mandated foreclosure avoidance programs
 - Judge initiated foreclosure prevention programs

6:00 Conference Adjourns

DAY TWO | FRIDAY, JANUARY 18, 2013

7:30 Continental Breakfast

8:00 **Loan Servicing: Assessing the Impact of the State AG Settlement and the CFPB on Servicing Standards, Ensuring Compliance with Document and Affidavit Procedures and Effective Loss Mitigation Strategies**

Thomas O. Freeburger
Acting Assistant General Counsel
California Housing Finance Agency (Sacramento, CA)

Rick Bellows
Vice President & General Counsel
National Creditors Connection, Inc. (Lake Forest, CA)

Paul H. Schieber
Partner
Stevens & Lee, P.C. (Philadelphia, PA)

William P. Heller

Chair, National Consumer Finance Litigation
& Compliance Practice Group
Akerman Senterfitt LLP (Fort Lauderdale, FL)

- Update on the State AG settlement implementation process
 - Where is the money going, and how is it flowing down?
 - Monitoring the settlement
 - Impact of the settlement on servicing standards
 - Consequences of the consent order
- New servicing standards proposed by the CFPB
 - Status
 - Interplay with AG settlements
- Servicer liability for lack of disclosure
 - Viability of a good faith defense
 - Demonstrating adequate disclosure
 - Conducting due diligence of servicing compliance
- Pending state initiatives
- Loan modifications
 - Borrower claims and effective defenses
 - Lessons learned from HAMP loss mitigation
- Foreclosure reform/legislative trends, including movement for the 2013 term
- Foreclosure process enhancements
- Essential documents required for foreclosure cases
 - When is and what pieces of the original loan documentation are necessary?
 - Issues around possession, note and assignment
- Refuting claims of documentation error
- Lessons learned from prior documentation errors
 - Standardization of forms
- Ensuring compliance with local fee caps on attorney's fees and related foreclosure filings
- Loss mitigation programs and strategies
- FDCPA developments; definition of debt and exclusion of collateral enforcement litigation

9:15 **Preventing, Managing and Defending Against the Latest Fair Lending Claims and Assessing the Impact of 'Disparate Impact' in Lending Litigation and Enforcement**

Christopher T. Shaheen

Vice President & Chief Litigation Counsel
U.S. Bank (Minneapolis, MN)

Frederick B. Rivera

Partner
Perkins Coie LLP (Seattle, WA)

Joseph T. Lynyak, III

Partner
Pillsbury Winthrop Shaw Pittman LLP (Los Angeles, CA)

- Defending against the most recent cases and enforcement actions alleging fair lending violations
 - Early interviews and information gathering
- How state and federal agencies are approaching fair lending
- Impact of the CFPB on fair lending litigation
 - Increased focus by the CFPB and DOJ on disparate impact
 - Assessing the status of disparate impact in lending litigation and enforcement
- Force-placed insurance

- Lessons from the Wells Fargo fair lending settlement
- Public relations concerns
- Proactive steps to avoid predatory lending claims and prevent future claims
 - Conducting internal compliance assessments and training
 - Resolving disputes before borrowers file suit

10:15 Morning Coffee Break

FOCUS ON FORECLOSURE LOOK-BACKS AND LITIGATION

10:25 **Assessing the Status of Look-Backs and Increased Outreach Efforts, and What They Mean for the Future of the Foreclosure Review Process**

Deborah Jones

Partner
Alston & Bird LLP (Los Angeles, CA)

A. Michelle Canter

Partner
Lotstein Legal PLLC (Norcross, GA)

- Status report by the OCC/FRB
- An analysis of the lengthened timeline associated with the look-back and outreach process
- Modifications to the outreach website
- Outreach to borrowers
 - Addition of remediation information in borrow communications
 - Lump sum amounts, rescinded foreclosures
 - Targeted additional round of outreach to non-responding populations, and increased use of consumer groups to spread the word
- Required analysis of borrower characteristics by servicers
 - Zip code, primary language, education levels, etc.
 - Additional characteristics?
- What is the financial harm analysis that will come out of the look-back process?

11:20 **Overcoming Contested Foreclosures, Responding to Borrower Counterclaims and Defending Against Claims Relating to Loan Servicing, MERS and Standing**

Therese G. Franzén

Partner
Franzén & Salzano, P.C. (Atlanta, GA)

Christy A. Ames

Partner
Stites & Harbison, PLLC (Louisville, KY)

Reid S. Manley

Partner
Burr Forman (Birmingham, AL)

Scott A. King

Partner
Thompson Hine LLP (Dayton, OH)

- Managing borrower counterclaims in contested foreclosures
- Overcoming commonly raised defenses including TILA, SCRA, fraud, and rescission claims

- RESPA/TILA joint disclosure
- Preventing bankruptcy from becoming a means for borrowers to stall foreclosures
- Loan modification and foreclosure
 - Defending against counterclaims arising from loan modifications and HAMP
 - Loan modification litigation
 - *Wigod* and its aftermath
- Defending against claims relating to loan servicing, including
 - Debt collection practices
 - FDCPA and debt collection claims in the residential mortgage context
 - Credit reporting claims
 - Escrow
 - RESPA
 - *Freeman v. Quicken Loans Inc.*
 - Issues surrounding fee sharing
 - Actual damages – a look at the unresolved standard of proof after the Supreme Court’s rejection of Cert. in the *First American Financial Corp. v. Edwards* case
- Update on MERS litigation
 - Borrower claims
 - *Qui tam* cases
 - County recorder/AG litigation
- Assessing and combatting borrower attacks on standing
- MERS interest as a mortgagee or beneficiary
- Assignment of mortgages

12:35 **Managing and Defending Against Class Actions: Prevailing Against New Plaintiff Strategies, Application and Impact of *Concepcion* and *Wal-Mart v. Dukes*, and Class Action Mortgage Trends in the State of California**

Christopher Chorba

Partner

Gibson, Dunn & Crutcher LLP (Los Angeles, CA)

Randall W. Edwards

Partner

O’Melveny & Myers LLP (San Francisco, CA)

J. Kevin Snyder

Partner

Dykema Gossett LLP (Los Angeles, CA)

Douglas A. Thompson

Partner

Bryan Cave LLP (Santa Monica, CA)

- Class action trends involving residential mortgage litigation
 - Loan modification litigation
 - Force-placed insurance litigation
 - What to expect going forward
- New and emerging claim approaches
 - Defending against the influx of cases being brought by plaintiffs’ attorneys and state AGs
 - Where plaintiffs are filing and why
 - Using this information to structure your case
- The continuing impact of *Wal-Mart v. Dukes* on class certifications
 - How are the federal (and state) courts applying the decision
 - Defeating plaintiffs’ arguments that *Wal-Mart* should not apply to a particular case

- Comcast and post-*Wal-Mart* issues
- The treatment of *AT&T Mobility v. Concepcion* by lower court and emerging legal issues
- Settlement considerations
 - Making the decision to settle, and ensuring effective client communication throughout the settlement process
 - Evaluating tradeoffs in scope of class and release; creating a comprehensive settlement order
 - Litigating the release

1:50 Conference Ends – Luncheon for Focus Session Participants



**POST-CONFERENCE IN-DEPTH FOCUS SESSION
FRIDAY, JANUARY 18, 2013 • 3:00-5:00**

Managing Local Governments’ Increased Use of Ordinance Violations to Regulate Properties in Foreclosure

Roland P. Reynolds

Partner

Palmer, Lombardi & Donahue LLP (Los Angeles, CA)

Additional speakers TBD

- Preventing local action to recoup losses and manage properties from disrupting a business’s day to day activities
- Holding banks liable for abatement costs and property damage occurring while they hold a property
 - LA suit against US Bank over run down homes
- Attacks on the MERS model
 - County class actions alleging municipal violation for failure to record assignments with county recorder’s office
 - Targeting the ability of MERS to act as a beneficiary
 - Recent state decisions
- Use of eminent domain to seize underwater properties
- At what point in the foreclosure process should lenders maintain a home as though they own it?
 - Risks that arise from requiring mortgage servicers to register their properties after and upon foreclosures
 - Complications of securitization
- Financial institutions working with cities
 - Negotiating for properties to be donated for community use

SAVE THE DATES:

15th National Forum on
Consumer Finance Class Actions & Litigation
January 31-February 1, 2013 * New York, NY

11th National Forum on
Residential Mortgage Litigation & Regulatory Enforcement
April 29-30, 2013 * Washington, DC



American Conference Institute's 10th National Forum on

RESIDENTIAL MORTGAGE

LITIGATION & REGULATORY ENFORCEMENT

Expert strategies for in-house and outside counsel on navigating litigation burdens and preparing for new and emerging government enforcement initiatives

January 17-18, 2013 | Marriott Fisherman's Wharf | San Francisco, CA

NETWORK WITH:

PNC Financial Services
Wells Fargo
U.S. Bank

National Creditor's Connection, Inc.
Genworth Financial
Home Equity Access, Inc.
Equity Settlement Services, Inc.
Impac Funding Corporation
Center for Responsible Lending
Mortgage Bankers Association
Carrington Mortgage Holdings, LLC

REGISTRATION FORM

PRIORITY SERVICE CODE

S

ATTENTION MAILROOM: If undeliverable to addressee, please forward to:
Corporate Counsel, Litigation/Legal Department; Mortgage Attorney



Can be recycled

CONFERENCE CODE: 809L13-SNF

YES! Please register the following delegate for **RESIDENTIAL MORTGAGE LITIGATION & REGULATORY ENFORCEMENT**

CONTACT DETAILS

NAME _____ POSITION _____

APPROVING MANAGER _____ POSITION _____

ORGANIZATION _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE _____ FAX _____

EMAIL _____ TYPE OF BUSINESS _____

I would like to receive CLE accreditation for the following states: _____ See CLE details inside.

FEE PER DELEGATE	Register & Pay by Nov 9, 2012	Register & Pay by Dec 18, 2012	Register after Dec 18, 2012
<input type="checkbox"/> Conference Only	\$1995	\$2095	\$2295
<input type="checkbox"/> ELITEPASS*: Conference & Focus Session	\$2495	\$2595	\$2795
<input type="checkbox"/> I cannot attend but would like information on accessing the ACI publication library and archive			

*ELITEPASS is recommended for maximum learning and networking value.

PAYMENT

Please charge my

VISA MasterCard AMEX Discover Card Please invoice me

NUMBER _____ EXP. DATE _____

CARDHOLDER _____

I have enclosed my check for \$ _____ made payable to

American Conference Institute (T.I.N.—98-0116207)

ACH Payment (\$USD)

Please quote the name of the attendee(s) and the event code 809L13 as a reference.

For US registrants:

Bank Name: HSBC USA

Address: 800 6th Avenue, New York, NY 10001

Account Name: American Conference Institute

UPIC Routing and Transit Number: 021-05205-3

UPIC Account Number: 74952405

Non-US residents please contact Customer Service for Wire Payment information

Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches and refreshments.

Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

Cancellation and Refund Policy

You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other ACI conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. ACI reserves the right to cancel any conference it deems necessary and will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by ACI for changes in program date, content, speakers, or venue.

Hotel Information

American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly and mention the "ACI Residential Mortgage" conference to receive this rate:

Venue: San Francisco Marriott Fisherman's Wharf
Address: 1250 Columbus Avenue, San Francisco, CA 94133
Reservations: 1-800-228-9290 or 1-415-775-7555

Incorrect Mailing Information

If you would like us to change any of your details please fax the label on this brochure to our Database Administrator at 1-877-927-1563, or email data@AmericanConference.com.

5 Easy Ways to Register

MAIL **American Conference Institute**
45 West 25th Street, 11th Floor
New York, NY 10010

PHONE 888-224-2480

FAX 877-927-1563

ONLINE AmericanConference.com/
ResMortgageSNF

EMAIL CustomerService
@AmericanConference.com

CONFERENCE PUBLICATIONS

To reserve your copy or to receive a catalog of ACI titles go to www.aciresources.com or call 1-888-224-2480.

SPECIAL DISCOUNT

We offer special pricing for groups and government employees. Please email or call for details. Promotional discounts may not be combined. ACI offers financial scholarships for government employees, judges, law students, non-profit entities and others. For more information, please email or call customer service.